

IN THE DRAWINGS:

Submitted herewith are two (2) replacement sheets for the Figures 10 and 14.

REMARKS

Applicant has cancelled claims 1 through 8 without prejudice, added new claims 9 through 13, amended the drawings and amended the specification. Applicant respectfully submits that the amendments to the claims, drawings and specification are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims, drawings and specification as amended.

The Examiner has rejected to the drawings stating that the reference numeral 82 has been utilized to designate two different elements. Applicant has amended the Figures and the specification and respectfully submits that the drawings comply with the requirements of 37 CFR 1.84(p)(4).

The Examiner has objected to the drawings stating that they fail to include the reference numeral 160. Applicant has amended the drawings to include the reference numeral 160.

The Examiner has requested that Applicant review the specification to correct any possible errors which Applicant is aware of. Applicant has amended the specification.

The Examiner has objected to the claim 3 and pointed out an informality therein. Applicant has cancelled claim 3 and has added new claims 9 through 13 which Applicant respectfully submits are not objectionable.

The Examiner has rejected the claims 1, 4 and 6 under 35 USC 102 as being anticipated by Brown stating that Brown teaches a maintenance apparatus for a medical handpiece comprising a first fluid supply 20 which feeds a maintenance fluid to a bearing of the handpiece as illustrated in Figure 2, a second fluid supply 30 which feeds a maintenance fluid to a chucking structure of the handpiece as illustrated in Figure 4, the chucking structure being capable of detachably holding the rotary tool and while Brown does not specifically teach the bearing being capable of rotatively supporting a rotary tool and it is the Examiner's opinion that the apparatus taught by Brown inherently functions as claimed.

In reply to this rejection, Applicant respectfully submits that Applicant's claim 9 is directed to a maintenance device in which the device has a maintenance fluid supply nozzle 40 and 144 fluidly connected to a second fluid supply 38 and 122 and the nozzle 40 and 144 is designed so as to be detachably connected in the chucking structure 50 and 152 in place of the rotary tool 39 so that the maintenance fluid is fed through the nozzles 40 and 144 into the

chucking structure 52 and 152. Accordingly, Applicant respectfully submits that with this structure it provides the advantage that any possible foreign matter staying within the chucking structure is completely washed out therefrom with the maintenance fluid.

In contrast to Applicant's invention as claimed by claim 9 and described above, Applicant respectfully submits that Brown discloses putting a maintenance fluid through the air passage into the bearing of the dental handpiece. While, such a structure may supply maintenance fluid to the bearing, Applicant respectfully submits that it does not provide sufficient maintenance fluid to the central chucking structure to wash out the foreign matter contained therein. Therefore, Applicant respectfully submits that the advantage of Applicant's invention cannot be provided by Brown and the foreign matter contained in the chucking structure cannot be washed out.

In view of the above, Applicant respectfully submits that Brown does not disclose each and every element of Applicant's invention and the claims 9 through 13 are not anticipated thereby.

The Examiner has rejected the claims 2, 3 and 5 under 35 USC 103 as being obvious over Brown in view of Hiroharu stating that Brown teaches a maintenance apparatus for a medical handpiece comprising a first fluid supply 20 which feeds maintenance fluid fed from a maintenance fluid supply to a bearing of the handpiece, the bearing inherently being capable of rotatively supporting a rotary tool and a second fluid supply 30 which feeds the maintenance fluid supply to the chucking structure of the handpiece, but does not teach a connector including a connector to be detachably connected to the fluid supply; Hiroharu teaches a connector 32 including a connector to be detachably connected to a maintenance fluid supply 20 as illustrated in Figure 2 and further teaches that the fluid supply feeds the maintenance fluid fed from the maintenance fluid supply to the connector to the handpiece; and it would have been obvious to one of ordinary skill in the art to modify Brown in view of the teachings of Hiroharu.

In reply to this rejection, Applicant would like to incorporate by reference his comments above concerning Applicant's invention and Brown. Also, Applicant has carefully reviewed Hiroharu and respectfully submits that Hiroharu discloses in Figure 1 that the maintenance fluid is supplied from the top opening of the head of the handpiece. Accordingly, in Hiroharu the supplied maintenance fluid flows through the bearing and then

exits from the bottom opening of the head. While such a structure may wash off some foreign matters only staying on the outer periphery of the chucking structure, it fails to wash out the foreign matters staying inside the chucking structure because the mechanical structure of the chucking structure is so complex that it makes it impossible to completely wash out the foreign matters which have been left inside the chucking structure of Hiroharu. As a result, by providing the chucking structure of Hiroharu, the advantages of Applicant's invention cannot be achieved. Still further, Applicant respectfully submits that Hiroharu fails to disclose that a maintenance supply nozzle is inserted and chucked by the chucking structure in place of the rotary tool.

In view of the above, therefore, Applicant respectfully submits that the combination suggested by the Examiner is not Applicant's invention as claimed and the claims 9 through 13 are not obvious over Brown in view of Hiroharu.

The Examiner has rejected the claims 7 and 8 under 35 USC 103 as being obvious over Brown in view of Guggenheim stating that Brown teaches all of the claimed invention except for the maintenance apparatus wherein the second fluid supply has a hole for injecting the fluid in the form of a mist; Guggenheim teaches injecting the fluid in the form of a mist; and it would have been obvious to one of ordinary skill in the art to modify Brown in view of the teachings of Guggenheim.

In reply to this rejection, Applicant would like to incorporate by reference his comments above concerning Applicant's invention and Brown. In addition, Applicant has carefully reviewed Guggenheim and respectfully submits that Guggenheim fails to disclose that the maintenance fluid supply nozzle which is inserted and chucked by the chucking structure in place of the rotary tool.

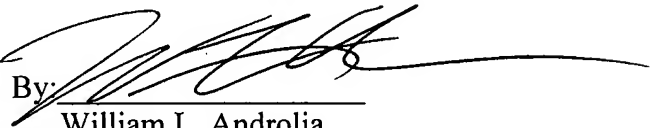
In view of the above, therefore, Applicant respectfully submits that the combination of Brown and Guggenheim is not Applicant's invention and the claims 9 through 13 are not obvious thereover.

In view of the above, therefore, it is respectfully requested that this amendment be entered, favorably considered and the case passed to issue.

Applicant further respectively and retroactively requests a three (3) month extension of time to respond to the Office Action and respectfully requests that the extension fee in the amount of \$1,050.00 be charged to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

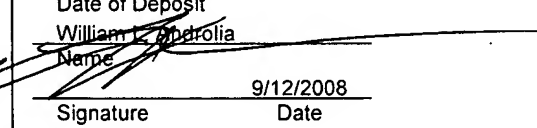
Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

Respectfully submitted,

By: 

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